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**OCT 10 2006**

Agent Docket No. 1471

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

October 10, 2006

In re Application of: Kevin Beller

Application No. 10/764,322 : Group Art Unit 2837

Filed: 01/22/2004 : Examiner: Marlon T. Fletcher

For: HUM-CANCELLING ELECTROMAGNETIC PICKUP FOR STRINGED MUSICAL  
INSTRUMENTS WITH TONAL CHARACTERISTICS OF SINGLE COIL PICKUPS.

Amended to: COMPACT HUM-CANCELING MUSICAL INSTRUMENT PICKUP WITH  
IMPROVED TONAL RESPONSE.

Status: Office Action/final rejection mailed 06/01/2005

Notice of Appeal and Extension of Time request filed 06/26/2006

Amendment filed 08/14/2006

Appeal Brief filed 08/28/2006

Examiner Advisory Action 09/06/2006 rejects 08/14/2006 amendment

Notice of Non-compliant Appeal Brief mailed 09/11/2006.

**REQUEST FOR CONTINUED EXAMINATION AND AMENDMENT**

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PTO Central FAX 571-273-8300**

Dear sir:

In the above identified application, applicant hereby requests continued examination under 37 CFR 1.114(a) and accordingly requests to withdraw the Appeal and reopen prosecution of the application before the Examiner under 37 CFR 1.114(d).

The following amendment, in effect a re-submission of the amendment filed 08/14/2006 but not entered, is submitted by the present Agent of Record who was appointed in replacement of the original Attorney of Record at the time of final rejection.

Please amend the above-identified application as follows:  
**Amendment of the title** is on page 3 of this paper.  
**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.  
**Remarks** begin on page 12.  
**Summary and Allowable Subject Matter:** page 19.